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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/526,942
		Filing Date	March 8, 2005
		First Named Inventor	Larry Baker
		Art Unit	RECEIVED
		Examiner Name	MAR 01 2006
Total Number of Pages in This Submission	29	Attorney Docket Number	718452.9

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below); Declaration; Settlement Agreement; Assignment; Response dated 4/18/05; return postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks:	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Blackwell Sanders Peper Martin, LLP		
Signature			
Printed Name	Samuel Digirolamo		
Date	January 12, 2006	Reg. No.	29,915

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop PCT, Office of Legal Administration; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Express Mail Label No.: EV 554057191 US			
Signature			
Typed or printed name	Jennifer Wheatley	Date	January 12, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Larry Baker

Serial No.: 10/526,942

Filed: March 8, 2005

For: URINARY TRANSFER SYSTEM
AND ASSOCIATED METHOD OF USE

Examiner: Not yet assigned

Group Art Unit: Unknown

Attorney Docket No.: 718452.9

Customer No.: 027128

Confirmation No.: 7563

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RENEWED PETITION UNDER 37 C.F.R. SECTION 1.47 (b)

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, Virginia 22313-1450

In response to the Decision on Applicants' Petition Under 37 C.F.R. Section 1.47 (b), and in light of further discussions with attorney-advisor Anthony Smith, Applicants respectfully request reconsideration of the Petition for the following reasons.

Applicants are submitting herewith a Declaration for the above-identified U.S. Patent Application Serial No. 10/526,942 which was executed by the Personal Representative of the Estate of Larry Baker. A clean copy of the Declaration as well as a copy attached hereto as Exhibit A are enclosed herewith. This executed Declaration was faxed to Applicants' attorneys from the Rathert Law Firm, which firm represented the Estate of Mr. Baker. This is evidenced by the facsimile transmittal data at the top of the executed Declaration indicating that it was initially faxed April 15, 2005 at 16:28. The second page of the transmission is also included in

Exhibit A. The Legal Representative of Mr. Baker's estate is James D. Baker having an address at 105 Walnut, P.O. Box 39, Pevely, Missouri 63070.

The enclosed Declaration of Mr. Baker was signed in the April, 2005 time frame pursuant to a Settlement Agreement reached between Urinary Transfer Systems, LLC and James D. Baker as Personal Representative of the Estate of Larry Baker. This Settlement Agreement is attached hereto as Exhibit B. Pursuant to Paragraph 2 of the Settlement Agreement, the Bakers transferred and/or disclaimed all interest in Urinary Transfer Systems, LLC ("UTS") and its Intellectual Property including but not limited to the patents pending and trademarks registered at the time of execution of this Agreement.

As further evidence of the transfer of all interest from the deceased inventor Larry Baker to Urinary Transfer Systems, LLC, Applicants are also enclosing herewith an assignment document executed by James D. Baker, Personal Representative of the Estate of Larry Baker on April 14, 2005 wherein the 50% interest of Mr. Baker in and to the invention identified as U.S. Provisional Patent Application No. 60/481,785 filed on December 12, 2003 and the International PCT Patent Application Serial No. PCT/US04/040409 filed December 2, 2004 were transferred to Urinary Transfer Systems, LLC. This Assignment document is attached hereto as Exhibit C and is in the process of being recorded in the U.S. Patent and Trademark Office.

Still further, Applicants also filed a response in the corresponding PCT Application Serial No. PCT/US04/040409 on April 18, 2005 wherein an executed copy of the Assignment signed by the Legal Representative of the Baker Estate was provided to the U.S. Receiving Office. A copy of this response including the attached assignment document is provided herewith as Exhibit D.

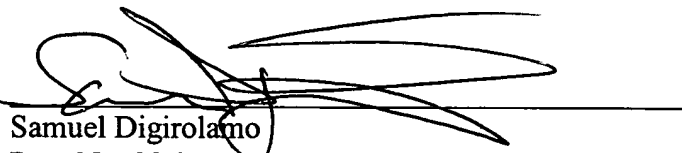
All of the above-identified documents (Exhibits A-D) evidence the fact that the Personal Representative of the Estate of Mr. Baker not only signed the Declaration associated with the above-identified application, but the Personal Representative also assigned all rights, title and interest in and to the 50% interest held by the deceased inventor in association with the present invention.

Reconsideration on the merits of the previously filed Petition referenced above is therefore respectfully requested. This response is being filed within the two-month period from the December 13, 2005 mailing date of the Decision.

It is therefore respectfully requested that this Petition be granted. If a telephone conference would facilitate resolving any issue related to this Petition, the undersigned attorney would appreciate and welcome such telephone conference. Contact information is provided below:

Respectfully submitted,

Date: 12 JAN 06


Samuel Digirolamo
Reg. No. 29,915
Blackwell Sanders Peper Martin LLP
720 Olive Street, Suite 2400
St. Louis, MO 63101
314-345-6225
314-345-6325 (facsimile)
sdigirolamo@blackwellsanders.com
ATTORNEYS FOR APPLICANT

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted With Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	718452.9
	First Named Inventor	Baker, Larry
	COMPLETE IF KNOWN	
	Application Number	10/526,942
	Filing Date	March 8, 2005
	Group Art Unit	Not yet known
Examiner Name	Not yet known	

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I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

URINARY TRANSFER SYSTEM AND ASSOCIATED METHOD OF USE

(Title of the Invention)

the specification of which

☐ is attached hereto**OR**☒ was filed on (MM/DD/YY) 03/08/05 as United States Application Number or PCT International

Application Number 10/526,942 and was amended on (MM/DD/YY) 09/16/05 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not claimed	Certified Copy Attached?	
				YES	NO
PCT/US04/040409	WO	12/02/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS

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PTO/SB/01 (05-03)

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label		37128		OR <input checked="" type="checkbox"/> Correspondence address below	
Name Kevin M. Kercher					
Address Blackwell Sanders Peper Martin LLP					
Address 720 Olive Street, Suite 2400					
City St. Louis		State Missouri		ZIP 63101	
Country US		Telephone 314-345-6000		Fax 314-345-6060	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:			<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any)) Larry			Family Name Or Surname Baker		
Inventor's Signature <i>[Signature]</i>			Pers Rep. of Estate of Larry R. Baker Date		
Residence City: DECEASED		State		Country US	
Citizenship US					
Mailing Address SIGNING AS PERSONAL REPRESENTATIVE OF HIS ESTATE:					
105 Walnut, P.O. Box 39					
Mailing Address					
City Pevely		State Mo.		ZIP 63070	
Country US					

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DECLARATION — Utility or Design Patent Application

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment

NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Warren L.		Family Name Or Surname Spielman	
Inventor's Signature			Date
Residence City: St. Louis	State MO	Country US	Citizenship US
Mailing Address 7301 Overbrook Drive			
Mailing Address			
City St. Louis	State MO	ZIP 63121	Country US
<input type="checkbox"/> Additional inventors are being named on the __ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

[Page 3 of 3]

RATHERT LAW FIRM

ALFRED J. RATHERT
JOSEPH A. RATHERT
ANNE GERAGHTY RATHERT
OF COUNSEL

ATTORNEYS AT LAW
334 SKINKER LANE
FENTON, MISSOURI 63026

TELEPHONE
(636) 343-2088
TELEFAX
(636) 343-8370

FACSIMILE TRANSMITTAL MEMORANDUM

Transmission sent to:

RECEIVEDNAME: Michael Clithero

MAR 01 2006

COMPANY NAME: Blackwell et al

OFFICE OF PETITIONS

FAX NUMBER: (314) 345-6060FROM: Al RathertDATE: 4/15/05TIME: 5:15

COMMENTS:

Per your request, I assume
we do not have to go to Court 4/18/
(opening day of turkey season)

This transmittal consists of 2 pages including this cover letter.

If this transmission is not complete, please call (636) 343-2088
Facsimile Number: (636) 343-8370

This facsimile contains LEGALLY PRIVILEGED information which is protected by law from disclosure, and is intended only for the use of the addressee(s) named above. If you are not the addressee, or the person responsible for delivering this to the addressee(s), you are hereby notified that reading, copying, or distributing this facsimile is strictly prohibited. Please call the number above if you have received this facsimile as an error. Thank You.

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or Bar Code Label

37128

OR ☒ Correspondence address below

Name Kevin M. Kercher

Address Blackwell Sanders Peder Martin LLP

Address 720 Olive Street, Suite 2400

City St. Louis

State Missouri

Country US

Telephone 314-345-6000

Fax 314-345-6060

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☒ A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any)) Larry

Family Name
Or Surname Baker

Inventor's
Signature

Pers. Rep. of Estate
of Larry R. Baker

Date

Residence City: DECEASED

State

Country US

Citizenship US

Mailing Address: SIGNING AS PERSONAL REPRESENTATIVE OF HIS ESTATE:

Mailing Address 105 Walnut, P.O. Box 39

City Pevely

State

Mo.

ZIP 63070

Country US

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	First Named Inventor	Baker, Larry
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	Application Number	10/526,942
	Filing Date	March 8, 2005
	Group Art Unit	Not yet known
Examiner Name	Not yet known	RECEIVED

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(Title of the Invention)

the specification of which

☐ is attached hereto**OR**☒ was filed on (MM/DD/YY) 03/08/05 as United States Application Number or PCT International

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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not claimed	Certified Copy Attached?	
				YES	NO
PCT/US04/040409	WO	12/02/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STLD01-1165877-1

EXHIBIT

tabbies

A

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OR <input checked="" type="checkbox"/> Correspondence address below			
Name Kevin M. Kercher			
Address Blackwell Sanders Peper Martin LLP			
Address 720 Olive Street, Suite 2400			
City St. Louis		State Missouri	ZIP 63101
Country US		Telephone 314-345-6000	Fax 314-345-6060
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Larry		Family Name Or Surname Baker	
Inventor's Signature <i>[Signature]</i>		Pers Rep. of Estate of Larry R. Baker Date	
Residence City: DECEASED		State	Country US
Citizenship US			
Mailing Address SIGNING AS PERSONAL REPRESENTATIVE OF HIS ESTATE:			
105 Walnut, P.O. Box 39			
Mailing Address			
City Pevely	State Mo.	ZIP 63070	Country US

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NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Warren L.		Family Name Or Surname Spielman	
Inventor's Signature			Date
Residence City: St. Louis	State MO	Country US	Citizenship US
Mailing Address 7301 Overbrook Drive			
Mailing Address			
City St. Louis	State MO	ZIP 63121	Country US
<input type="checkbox"/> Additional inventors are being named on the __ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

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RATHERT LAW FIRM

ALFRED J. RATHERT
JOSEPH A. RATHERTANNE GERAGHTY RATHERT
OF COUNSELATTORNEYS AT LAW
334 SKINKER LANE
FENTON, MISSOURI 63026TELEPHONE
(636) 343-2088TELEFAX
(636) 343-8370FACSIMILE TRANSMITTAL MEMORANDUM

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OFFICE OF PETITIONS

Transmission sent to:

NAME: Michael ClitheroCOMPANY NAME: Blackwell et alFAX NUMBER: (314) 345-6060FROM: Al RathertDATE: 4/15/05TIME: 5:15COMMENTS: Per your request, I assume
we do not have to go to Court 4/18/
(opening day of turkey season)This transmittal consists of 2 pages including this cover letter.If this transmission is not complete, please call (636) 343-2088
Facsimile Number: (636) 343-8370

This facsimile contains LEGALLY PRIVILEGED information which is protected by law from disclosure, and is intended only for the use of the addressee(s) named above. If you are not the addressee, or the person responsible for delivering this to the addressee(s), you are hereby notified that reading, copying, or distributing this facsimile is strictly prohibited. Please call the number above if you have received this facsimile as an error. Thank You.

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Address 720 Olive Street, Suite 2400			
City St. Louis		State Missouri	ZIP 63101
Country US	Telephone 314-345-6000		Fax 314-345-6060
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Larry		Family Name Or Surname Baker	
Inventor's Signature <i>[Signature]</i>		Pers Rep. of Estate of Larry R. Baker Date	
Residence City: DECEASED	State	Country US	Citizenship US
Mailing Address SIGNING AS PERSONAL REPRESENTATIVE OF HIS ESTATE:			
105 Walnut, P.O. Box 39			
Mailing Address			
City Pevely	State Mo.	ZIP 63070	Country US

[Page 2 of 3]

FILED

FEB 28 2005

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement and Release ("Agreement") is made by and between Urinary Transfer Systems Group, LLC ("UTS"), Donald Crank, Gary Pevnick and Dr. Robert F. Hicks and Lawrence M. Baker and James D. Baker, individually and as personal representative of the Estate of Larry Baker, Sr. (Lawrence M. Baker and James D. Baker are collectively referred to as the "Bakers") (all collectively the "Parties") as follows:

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WHEREAS, Larry Baker, Sr. was an initial member of UTS; and

WHEREAS, Larry Baker, Sr. died on or about November 27, 2003; and

WHEREAS, at the time of his death, Larry Baker, Sr. owned 37.5% of UTS; and

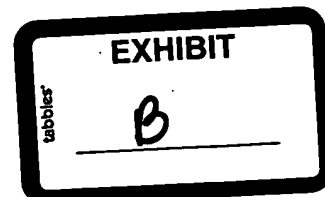
WHEREAS, there is a dispute concerning the continued existence and/or disposition of Larry Baker, Sr.'s interest in UTS; and

WHEREAS, UTS filed a Petition of Interested Party for Order to Require Administration on or about March 2, 2004, Cause No. 21PR04150553 in the Circuit Court of St. Louis County, Missouri (the "Lawsuit"); and

WHEREAS, UTS filed a Petition for Declaratory Judgment on or about November 29, 2004 in the Lawsuit (the "Second Claim"); and

WHEREAS, the Parties are desirous of avoiding the costs and uncertainty of litigation and wish to amicably resolve the dispute between them; and

WHEREAS, the Parties to this Agreement agree and understand that this Agreement is a compromise of disputed claims and any agreement, payment or release made pursuant to this Agreement is not to be construed as an admission of liability on the part of any party to this Agreement, each of whom expressly denies liability hereunder. Nothing in this Agreement shall



be used as evidence of such alleged liability or of any other fact or allegation in any pending or further action involving the parties or any of them.

NOW, THEREFORE, for and in consideration of the Parties' mutual and respective covenants and agreements, IT IS MUTUALLY AGREED AS FOLLOWS:

1. In consideration of the Parties' mutual respective covenants herein, the Parties agree that UTS shall pay the Estate of Larry Baker, Sr. ~~\$40,000.00~~ ^{Donald Crank and/or Gary PEVNICK \$32,500} including (1) payment of ~~\$15,000.00 cash by UTS within 30 days after execution of this Agreement~~ ^{(Sixty) 60} and (2) payment of ~~\$25,000 by UTS within five years of the date of execution of this Agreement. Said payment of \$25,000 shall be paid quarterly by way of payments of principal and interest with interest to accrue at the prime rate as published in the Wall Street Journal with no prepayment penalty.~~ ^{with each party jointly responsible for its payment.} ~~There is no individual guaranty on the payment of this amount, however, the obligation will be included as a liability on UTS' books and fully disclosed to all banks and equity investors.~~ ^{DWC D.B.}

Further, said obligation shall not be assignable to any third party absent written consent of all parties.

2. The Bakers shall transfer and/or disclaim all interest in UTS and its intellectual property, including but not limited to the patents pending and trademarks registered at the time of execution of this Agreement.

3. The Bakers shall return all documents provided pursuant to the Non-Disclosure Agreement to Donald Crank, as the authorized representative of UTS, within seven (7) days after the execution of this Agreement.

4. The Bakers shall return all remaining intellectual property of UTS held by Larry Baker Sr., to Donald Crank, as the authorized representative of UTS, within seven (7) days after execution of this Agreement.

5. UTS shall file a dismissal without prejudice of the Second Claim.

6. For and in consideration of the Parties' mutual respective covenants herein, the Bakers do now and forever release, remise and discharge UTS, Gary Pevnick, Donald Crank and Robert F. Hicks, and each and every one of their respective past and present agents, attorneys, employees, members, directors, officers, affiliated entities, and their heirs, executors, administrators, representatives, successors and assigns from any and all claims, demands and causes of action of any kind at law or in equity which the Bakers ever had, now have or may have.

7. UTS, Donald Crank, Gary Pevnick and Dr. Robert F. Hicks do not waive, release or in any way relinquish any claims against the Bakers, including but not limited to their claims for tortious interference/breach of fiduciary duty or related claims concerning the conduct of the business and handling of the prototype. *In the event that such a claim is brought, the prevailing party shall be entitled to reimbursement of its attorneys fees up to \$10,000*

8. Notwithstanding anything to the contrary contained in this Agreement, the Parties hereto expressly reserve unto themselves any claims or causes of action, whether at law or in equity, arising out of the non-performance of this Agreement. The Parties agree that if any Party hereto employs counsel or brings suit to enforce the terms or conditions of this Agreement, he or it (as the case may be) shall be entitled to recover from the non-performing Party any and all damages, costs, expenses and/or attorneys' fees incurred as a result thereof.

9. This Agreement constitutes the entire agreement of the parties and supersedes all prior agreements, statements and representations.

10. This Agreement is binding upon and inures to the benefit of the heirs, successors and assigns of the Parties.

11. It is further provided and agreed that this Agreement may be executed in counterparts, that any Party may sign any counterpart and the Agreement shall be effective when each Party hereto shall sign the counterpart and that a set of counterparts bearing the signatures of each Party hereto shall constitute the Agreement as fully as if the Parties shall have signed a single document.

12. This Agreement shall be construed and interpreted in accordance with the laws of the State of Missouri.

13. Each person signing this Agreement in their respective capacity represents and warrants that he or she has full and lawful authority from the Party he or she represents to make, execute and deliver this document on behalf of such Party.

14. The parties hereto acknowledge that they have carefully read this Agreement and that its contents and legal ramifications have been explained by their attorney(s).

15. The parties acknowledge, understand and agree that the terms of this Agreement are contractual, and not mere recitals, and that they are signing it as their own free acts.

16. The parties agree to enter into and execute such additional documents as are or may be necessary to carry out the intent and express terms of this Agreement.

17. This Agreement is a result of negotiations between the attorneys for the parties. Accordingly, the fact that one party or the other drafted this Agreement or parts of it is immaterial and this Agreement shall not be strictly construed against any party.

18. All parties have read this Agreement in its entirety, understand its terms and have voluntarily entered into this Agreement after consultation with legal counsel of their choice. The parties acknowledge that they have relied solely and completely on their own judgment and the advice of counsel in making this settlement. Any corporation, which is a Party to this

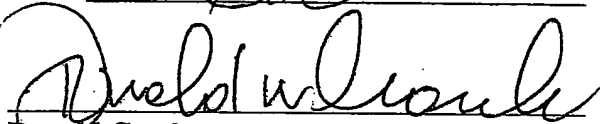
Agreement, possesses requisite authority and approval of the Board of Directors of said corporation to enter into this Agreement.

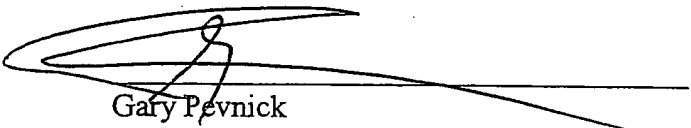
19. The parties further warrant and represent that no promise or representation of any kind or character has been made to them by the persons hereby released or by anyone acting for them except as is expressly stated in this Agreement.

IN WITNESS WHEREOF, the Parties have caused this Settlement Agreement and Release to be executed as of the 28 day of February, 2005.

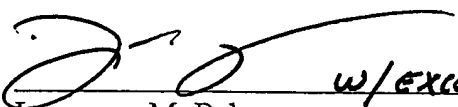
URINARY TRANSFER SYSTEMS
GROUP, LLC

By: _____
Title: _____

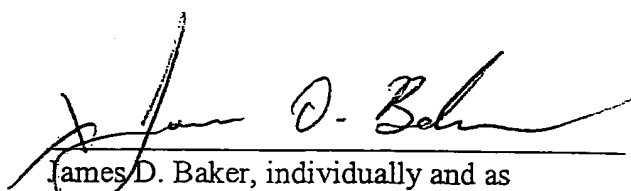

Donald Crank


Gary Pevnick

Dr. Robert F. Hicks


Lawrence M. Baker

W/EXCEPTIONS NOTED


James D. Baker, individually and as
personal representative of the Estate of
Larry Baker

approved
[Signature]
2-28-05

Agreement, possesses requisite authority and approval of the Board of Directors of said corporation to enter into this Agreement.

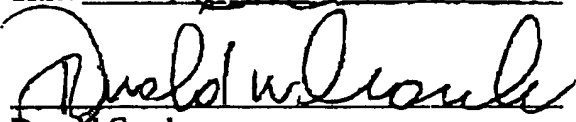
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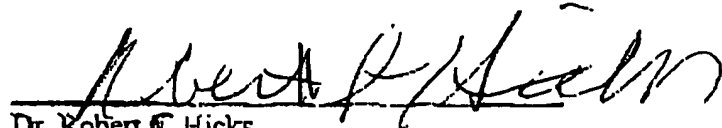
URINARY TRANSFER SYSTEMS
GROUP, LLC

By: 

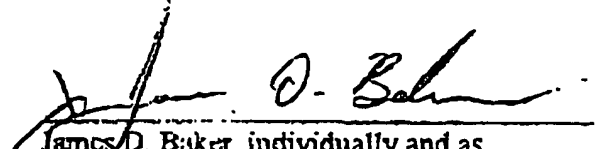
Title: 

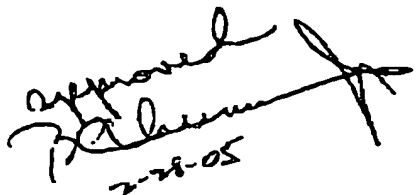

Donald Crank


Gary Pavnick


Dr. Robert G. Hicks


Lawrence M. Baker


James D. Baker, individually and as
personal representative of the Estate of
Larry Baker


approved
[signature]
2-28-05

ASSIGNMENT

WHEREAS, Larry R. Baker (deceased), formally a resident of St. Louis, Missouri; (hereinafter referred to as "Assignor"), was a co-inventor of a certain new and useful invention relating to a URINARY TRANSFER SYSTEM AND ASSOCIATED METHOD OF USE which claims the benefit of U.S. Provisional Patent Application No. 60/481,785 filed on December 12, 2003, and has been filed as International Patent Application No. PCT/US04/040409 filed under the Patent Cooperation Treaty on December 2, 2004; and

WHEREAS, Assignor, through the personal representative of his estate who is representing has the authority to execute this document on behalf of the estate of the deceased, is the owner and in full possession of an undivided one-half (½) interest (50%) respectively, in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor; and

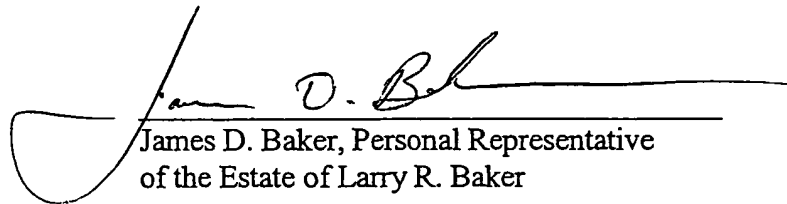
WHEREAS, Urinary Transfer Systems Group, LLC, a corporation duly organized under the laws of the State of Missouri, (hereinafter referred to as "Assignee"), having its principal office and place of business at 2865 Netherton Drive, Jennings, Missouri 63136, is desirous of acquiring the undivided one-half (½) interest (50%) respectively, in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor; and

NOW, THEREFORE, to whom it all may concern, be it known that for and in consideration of the Settlement Agreement and Release dated February 28, 2005, and other valuable considerations to Assignor paid by said Assignee, receipt of which is hereby acknowledged, Assignor does hereby irrevocably sell, assign and transfer unto said Assignee, the

undivided one-half (1/2) interest (50%) respectively, in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor, together with any and all continuations, divisions, or reissues, and Assignor does hereby authorize and request the United States Commissioner of Patents and Trademarks to issue in accordance with this Assignment any and all Letters Patent that may be granted, either on said application or otherwise for said invention.

IN WITNESS WHEREOF, Assignor has hereunto set his hand, date and seal.

Dated: 4/14/05


James D. Baker, Personal Representative
of the Estate of Larry R. Baker

STATE OF)

) ss.

COUNTY OF)

On this 14 day of Apr, 2005, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared James D. Baker to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.


Notary Public

My Commission Expires:

ALFRED J. RATHERT
Notary Public — Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires: June 24, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input checked="" type="checkbox"/> Declaration Submitted With Initial Filing <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)		Attorney Docket Number	718452.9
		First Named Inventor	Baker, Larry
		COMPLETE IF KNOWN	
		Application Number	Not yet known
		Filing Date	Herewith
		Group Art Unit	Not yet known
		Examiner Name	Not yet known

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

URINARY TRANSFER SYSTEM AND ASSOCIATED METHOD OF USE

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YY) [] as United States Application Number or PCT International

Application Number [] and was amended on (MM/DD/YY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority		Certified Copy Attached?	
			Not claimed	YES	NO	
PCT/US04/040409	WO	12/02/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS

TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent ApplicationDirect all correspondence to: ☒ Customer Number
or Bar Code Label

27128

OR ☒ Correspondence address belowName **Kevin M. Kercher**Address **Blackwell Sanders Peper Martin LLP**Address **720 Olive Street, Suite 2400**City **St. Louis**State **Missouri**ZIP **63101**Country **US**Telephone **314-345-6000**Fax **314-345-6060**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☒ A petition has been filed for this unsigned inventorGiven Name
(first and middle [if any]) **Larry**Family Name
Or Surname **Baker**Inventor's
Signature

Date

Residence City: **DECEASED**

State

Country **US**Citizenship **US**Mailing Address **SIGNING AS PERSONAL REPRESENTATIVE OF HIS ESTATE:**

Mailing Address

City

State

ZIP

Country **US**

[Page 2 of 3]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment

NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Warren L.		Family Name Or Surname Spielman	
Inventor's Signature			Date
Residence City: St. Louis	State MO	Country US	Citizenship US
Mailing Address 7301 Overbrook Drive			
Mailing Address			
City St. Louis	State MO	ZIP 63121	Country US
<input type="checkbox"/> Additional inventors are being named on the __ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

[Page 3 of 3]

TRANSMITTAL LETTER TO THE UNITED STATES RECEIVING OFFICE

Express Mail mailing number: EV528424706US	Date of deposit: April 18, 2005
File reference no.: 718452.7	International application no. (if known): PCT/US04/040409
Title of the invention: URINARY TRANSFER SYSTEM AND ASSOCIATED METHOD OF USE	
Earliest priority date claimed (Day/Month/Year): 12/12/2003	

☐ This is a new International Application

SCREENING DISCLOSURE INFORMATION:

In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (check as many boxes as apply):

☐ The invention disclosed was not made in the United States of America.☐ There is no prior U.S. application relating to this invention.☐ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the

attached international application. (NOTE: priority to these applications may or may not be claimed on the Request (form PCT/RO/101) and this listing does not constitute a claim for priority.)

application no.		filed on	
application no.		filed on	

☐ The present international application contains additional subject matter not found in the prior U.S. application(s)

identified above. The additional subject matter is found on pages

and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of

the

invention in a manner which would require the U.S. application to have been made available for inspection

by the

appropriate defense agencies under 35 U.S.C. 181 and 37 C.F.R. 5.15.

Itemized list of contents

Sheets of Request form:	Check no.:
Sheets of description (excluding sequence listing):	Return receipt postcard: 1
Sheets of claims:	Power of attorney:
Sheets of abstract:	Certified copy of priority document (specify):
Sheets of drawings:	Other (specify):
Sheets of sequence listing:	PCT - Response to Communication In Cases For Which No Other Form Is Applicable (1 pg.)
Sequence listing diskette/CD:	Assignment (2 pgs.)
Tables related to sequence listing CD:	

The person signing this form is:

☐ Applicant☐ Attorney/Agent (Reg. No.)

33,408

☐ Common Representative

Kevin M. Kercher

Name of person signing

Signature

This collection of information is required by 37 CFR 1.10 and 1.412. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV528424706US

EXHIBIT

D

tabbies

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: UTS, L.L.C.

Authorized Officer: Virginia Irby

Serial No.: PCT/US04/040409

Filed: 2 December 2004

Attorney Docket No.: 718452.7

For: URINARY TRANSFER SYSTEM
AND ASSOCIATED METHOD OF USE

Customer No.: 027128

Communication: 28 February 2005

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RESPONSE TO COMMUNICATION IN CASES FOR WHICH NO OTHER FORM
IS APPLICABLE

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

In response to the 28 February 2005, Communication in the above-referenced International Application, Applicant herewith submits an executed Assignment signed by a person having authority to sign on behalf of the Applicant. Therefore, no legal representative is required as Larry Baker's rights in the patent application have been assigned. I am the legal representative for this assigned interest in the patent application.

If the Authorized Officer should have any questions regarding the present Response, it is respectfully requested that the Authorized Officer please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,

Date: April 18, 2005


Kevin M. Kercher
Reg. No. 33,408
Blackwell Sanders Peper Martin LLP
720 Olive Street, Suite 2400
St. Louis, MO 63101
314-345-6000
ATTORNEYS FOR APPLICANT

ASSIGNMENT

WHEREAS, Larry R. Baker (deceased), formally a resident of St. Louis, Missouri; (hereinafter referred to as "Assignor"), was a co-inventor of a certain new and useful invention relating to a URINARY TRANSFER SYSTEM AND ASSOCIATED METHOD OF USE which claims the benefit of U.S. Provisional Patent Application No. 60/481,785 filed on December 12, 2003, and has been filed as International Patent Application No. PCT/US04/040409 filed under the Patent Cooperation Treaty on December 2, 2004; and

WHEREAS, Assignor, through the personal representative of his estate who is representing has the authority to execute this document on behalf of the estate of the deceased, is the owner and in full possession of an undivided one-half ($\frac{1}{2}$) interest (50%) respectively, in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor; and

WHEREAS, Urinary Transfer Systems Group, LLC, a corporation duly organized under the laws of the State of Missouri, (hereinafter referred to as "Assignee"), having its principal office and place of business at 2865 Netherton Drive, Jennings, Missouri 63136, is desirous of acquiring the undivided one-half ($\frac{1}{2}$) interest (50%) respectively, in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor; and

NOW, THEREFORE, to whom it all may concern, be it known that for and in consideration of the Settlement Agreement and Release dated February 28, 2005, and other valuable considerations to Assignor paid by said Assignee, receipt of which is hereby acknowledged, Assignor does hereby irrevocably sell, assign and transfer unto said Assignee, the

undivided one-half (1/2) interest (50%) respectively, in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor, together with any and all continuations, divisions, or reissues, and Assignor does hereby authorize and request the United States Commissioner of Patents and Trademarks to issue in accordance with this Assignment any and all Letters Patent that may be granted, either on said application or otherwise for said invention.

IN WITNESS WHEREOF, Assignor has hereunto set his hand, date and seal.

Dated: 4/14/05 James D. Baker
James D. Baker, Personal Representative
of the Estate of Larry R. Baker

STATE OF)
) ss.
COUNTY OF)

On this 14 day of Apr, 2005, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared James D. Baker to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Alfred J. Rathert
Notary Public

My Commission Expires:

ALFRED J. RATHERT
Notary Public — Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires: June 24, 2005

Receipt is hereby acknowledged in the U.S. Patent and Trademark Office of the following:

- Transmittal Letter to the U.S. Receiving Office (1 pg.)
- PCT Response to Communication In Cases for Which No Other Form is Applicable (1 pg.)
- Assignment (2 pgs.)
- Return receipt postcard

Receipt is hereby acknowledged in the U.S. Patent and Trademark Office of the following:

- Transmittal Letter to the U.S. Receiving Office (1 pg.)
- PCT Response to Communication In Cases for Which No Other Form is Applicable (1 pg.)
- Assignment (2 pgs.)
- Return receipt postcard

Application of: UTS, L.L.C.

For: PCT - URINARY TRANSFER SYSTEM AND ASSOCIATED METHOD OF USE

Serial No. PCT/US04/040409; Filed: December 2, 2004

Express Mail: EV528424706US Mailed: April 18, 2005

Attorney Docket No: 718452.7 KMK:js

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APR 25 2005

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JC03 Rec'd PCT/PTO 18 APR 2005

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In 18-05	Postage \$ 13.65	Return Receipt Fee	
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Int'l Alpha Country Code	2nd Day	Insurance Fee	
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Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Delivery Attempt	Time	Employee Signature	
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Delivery Date	Time	Employee Signature	
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic only) Waiver of signature is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.			
<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday			
Customer Signature			

FROM: (PLEASE PRINT) PHONE (314) 345 6000

ACKWELL SANDERS
PER MARTIN LLP
80 OLIVE ST FL 24
INT 2015
718452.7
KMK:js

TO: (PLEASE PRINT) PHONE

MAIL STOP
COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA VA 22313-1450

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